

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

BOILERMAKERS NATIONAL ANNUITY
TRUST FUND, on behalf of itself and all others
similarly situated,

Plaintiff,

v.

WAMU MORTGAGE PASS THROUGH
CERTIFICATES, SERIES 2006-AR1, *et al.*,

Defendants.

Case No. C09-0037MJP

[PROPOSED]

**ORDER GRANTING THE
RATING AGENCY
DEFENDANTS' MOTION TO
DISMISS PURSUANT TO FED.
R. CIV. P. 8, 12(b)(1) & 12(b)(6)**

NEW ORLEANS EMPLOYEES'
RETIREMENT SYSTEM, *et al.*,

Plaintiffs,

v.

WAMU MORTGAGE PASS THROUGH
CERTIFICATES, SERIES 2006-AR1, *et al.*,

Defendants.

Case No. C09-0134MJP

NEW ORLEANS EMPLOYEES'
RETIREMENT SYSTEM, *et al.*,

Plaintiffs,

v.

THE FIRST AMERICAN CORPORATION, *et al.*,

Defendants.

Case No. C09-0137MJP

This matter came before the undersigned District Court Judge on the Rating
Agency Defendants' Motion to Dismiss Pursuant to Fed. R. Civ. P. 8, 12(b)(1) and

[PROPOSED] ORDER GRANTING THE RATING AGENCY
DEFENDANTS' MOTION TO DISMISS (No. C09-0037MJP) - 1
4837-7191-5013.01
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12(b)(6). The Court having considered the Rating Agency Defendants' motion and all materials and declarations filed in support thereof, Plaintiffs' opposition and supporting materials, if any, and the Rating Agency Defendants' reply and supporting materials, and based upon a review of all the files, records and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. The Rating Agency Defendants' Motion is GRANTED for the reasons stated therein.

2. Counts I and IV against the Rating Agency Defendants are dismissed with prejudice.

IT IS SO ORDERED.

DATED this ____ day of _____, 2010.

United States District Court Judge

Presented by:

RIDDELL WILLIAMS P.S.

LANE POWELL PC

By /s/ Paul J. Kundtz

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